

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH, WILDLIFE AND PARKS

Call to Order: By **CHAIRMAN JOE BALYEAT**, on January 14, 2003 at 3 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Joe Balyeat, Chairman (R)
Rep. George Golie, Vice Chairman (D)
Rep. Michael Lange, Vice Chairman (R)
Rep. Debby Barrett (R)
Rep. Paul Clark (D)
Rep. Jill Cohenour (D)
Rep. George Everett (R)
Rep. Tom Facey (D)
Rep. Daniel Fuchs (R)
Rep. Steven Gallus (D)
Rep. Carol Gibson (D)
Rep. Gail Gutsche (D)
Rep. Larry Jent (D)
Rep. Bob Lake (R)
Rep. Don Roberts (R)
Rep. Allen Rome (R)
Rep. Scott Sales (R)
Rep. Jim Shockley (R)
Rep. Pat Wagman (R)
Rep. Sandy Weiss (D)

Members Excused: None.

Members Absent: None.

Staff Present: Kathleen Ely, Committee Secretary
Doug Sternberg, Legislative Branch

Please Note: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A videotaped recording of the meeting is available from the Montana Historical Society.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 123, 1/6/2003, HB 248,
1/8/2003, HB 157, 1/6/2003
Executive Action: HB 100, TABLED
HB 101, DO PASS AS AMENDED,
19-1
HB 123, DO PASS, 20-0
HB 157, DO PASS, 20-0

HEARING ON HB 157

Sponsor: REP. HAINES, HD 63, MISSOULA

Opening Statement by Sponsor:

3:02 p.m. REP. HAINES

Proponents' Testimony:

3:06 p.m. Chris Smith, Department of Fish, Wildlife and Parks
EXHIBIT(fih07a01)

3:08 p.m. Janet Ellis, Montana Audubon Society

Opponents' Testimony: None.

Questions from Committee Members and Responses:

3:09 p.m. REP. BARRETT

3:09 p.m. Chris Smith

Closing by Sponsor:

3:09 p.m. REP. HAINES

HEARING ON HB 248

Sponsor: REP. BALYEAT, HD 32, BOZEMAN

Opening Statement by Sponsor:

3:11 p.m. CHAIRMAN BALYEAT

Proponents' Testimony:

3:14 p.m. Chris Smith, Department of Fish, Wildlife and Parks
EXHIBIT(fih07a02)

3:16 p.m. Robin Cunningham, Fishing Outfitters Association of Montana

EXHIBIT (fih07a03)

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

3:16 p.m. REP. FACEY

3:16 p.m. CHAIRMAN BALLYEAT

3:17 p.m. REP. BARRETT

3:17 p.m. Chris Smith

3:18 p.m. REP. GALLUS

3:19 p.m. Hank Warsech, Licensing Bureau Chief, Fish, Wildlife and Parks

3:20 p.m. REP. GALLUS

3:20 p.m. Hank Warsech

3:20 p.m. REP. GALLUS

3:21 p.m. Chris Smith

3:21 p.m. REP. GALLUS

3:22 p.m. Chris Smith

Closing by Sponsor:

3:23 p.m. CHAIRMAN BALLYEAT

3:27 p.m. REP. LANGE returned the chair to CHAIRMAN BALLYEAT.

3:28 p.m. REP. CLARK present.

HEARING ON HB 123

Sponsor: REP. CLARK, HD 72, TROUT CREEK

Opening Statement by Sponsor:

3:29 p.m. REP. CLARK

Proponents' Testimony:

3:32 p.m. Chris Smith, Department of Fish, Wildlife and Parks
EXHIBIT(fih07a04)

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

3:34 p.m. REP. GIBSON

3:35 p.m. REP. CLARK

3:35 p.m. CHAIRMAN BALYEAT

3:36 p.m. Chris Smith

Closing by Sponsor:

3:36 p.m. REP. CLARK

EXECUTIVE ACTION ON HB 123

Motion/Vote: REP. SHOCKLEY moved that HB 123 DO PASS. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 248

3:40 p.m. REP. SHOCKLEY

3:41 p.m. REP. GOLIE

3:41 p.m. REP. GALLUS

3:41 p.m. CHAIRMAN BALYEAT postponed Executive Action on **HB 248**.

EXECUTIVE ACTION ON HB 157

Motion/Vote: 3:42 p.m. REP. SHOCKLEY moved that HB 157 DO PASS.
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 101

Motion: 3:43 p.m. REP. JENT moved that HB 101 DO PASS.

Motion: 3:44 p.m. REP. JENT moved that HB 101 BE AMENDED.
EXHIBIT(fih07a05)

3:45 REP. JENT

3:46 REP. CLARK

Motion/Vote: 3:46 REP. JENT moved that HB 101 BE AMENDED. Motion
carried unanimously by voice vote.
EXHIBIT(fih07a06)

Motion: 3:44 p.m. REP. CLARK moved that HB 101 BE AMENDED.

Motion/Vote: 3:46 REP. JENT moved that HB 101 BE AMENDED. Motion
carried unanimously by voice vote.

Vote: 3:55 p.m. REP. JENT moved that HB 101 DO PASS AS AMENDED
passed 19-1 with REP. FUCHS voting no by voice vote.

EXECUTIVE ACTION ON 100

Motion: 3:56 p.m. REP. SHOCKLEY moved that HB 100 DO PASS.

Motion: 3:58 p.m. REP. JENT moved that HB 100 BE AMENDED. Motion
carried unanimously by voice vote.
EXHIBIT(fih07a07)

Motion: 3:58 p.m. REP. LAKE moved that HB 100 BE AMENDED.
EXHIBIT(fih07a08)

3:59 p.m. Doug Sternberg

4:00 p.m. CHAIRMAN BALLYEAT moved that AMENDMENT HB010002.ADS BE
SEGREGATED INTO THREE AMENDMENTS. Motion carried unanimously by
voice vote.

4:01 p.m. REP. LAKE

4:03 p.m. **REP. COHENOUR**

4:03 p.m. **REP. LAKE**

4:04 p.m. **REP. COHENOUR**

4:05 p.m. **REP. LAKE**

4:05 p.m. **REP. COHENOUR**

4:06 p.m. **REP. LAKE**

4:07 p.m. **REP. GIBSON**

4:08 p.m. **REP. CLARK**

4:10 p.m. **REP. GALLUS**

EXHIBIT(fih07a09)

4:11 p.m. **REP. GOLIE**

4:12 p.m. **REP. WEISS**

4:12 p.m. **REP. LAKE**

4:14 p.m. **REP. JENT**

4:21 p.m. **CHAIRMAN BALLYEAT**

4:21 p.m. **Chris Smith**

4:22 p.m. **CHAIRMAN BALLYEAT**

4:25 p.m. **REP. FUCHS**

4:26 p.m. **CHAIRMAN BALLYEAT**

4:27 p.m. **REP. COHENOUR**

4:28 p.m. **REP. SALES**

4:29 p.m. **Chris Smith**

4:29 p.m. **Jim Kropp, Enforcement, Fish, Wildlife and Parks**

4:30 p.m. **REP. LAKE** called the question.

4:30 p.m. **REP. WAGMAN**

4:31 p.m. **Jim Kropp**

4:31 p.m. **REP. WAGMAN**

4:32 p.m. **Jim Kropp**

4:32 p.m. **CHAIRMAN BALLYEAT**

4:32 p.m. **Jim Kropp**

4:32 p.m. **REP. SALES**

Vote: Motion that **HB 100 BE AMENDED** as follows, **Sections 1-3 of HB010002.ads**, which carried 13-7 with **REP. COHENOUR, GALLUS, GIBSON, GOLIE, JENT, SALES, and WEISS** voting no by voice vote.

4:40 p.m. **CHAIRMAN BALLYEAT**

4:41 p.m. **Jim Kropp**

4:43 p.m. **REP. GIBSON**

4:43 p.m. **CHAIRMAN BALLYEAT**

4:44 p.m. **REP. LAKE**

4:44 p.m. **CHAIRMAN BALLYEAT**

4:44 p.m. **REP. GIBSON**

4:45 p.m. **Jim Kropp**

4:45 p.m. **REP. CLARK**

4:45 p.m. **Jim Kropp**

4:46 p.m. **REP. CLARK**

4:47 p.m. **Jim Kropp**

Vote: Motion that **HB 100 BE AMENDED** as follows, **Sections 4 of HB010002.ads**, carried 17-3 with **REPS. GUTSCHE, JENT, and SHOCKLEY** voting no by roll call vote.

Substitute Motion/Vote: **REP. CLARK** made a substitute motion that **HB 100 BE AMENDED TO READ "MIRIAM TURKEYS."** Substitute motion carried unanimously by voice vote.

Motion/Vote: REP. JENT moved that HB 100 BE INDEFINITELY POSTPONED. Motion failed 9-10 with REPS. LANGE, GOLIE, COHENOUR, FACEY, GALLUS, GIBSON, GUTSCHE, JENT, and ROBERTS voting aye by roll call vote.

4:55 p.m. REP. LAKE

4:56 p.m. CHAIRMAN BALLYEAT

4:57 p.m. Jim Kropp

4:58 p.m. CHAIRMAN BALLYEAT

4:58 p.m. Jim Kropp

4:49 p.m. REP. GIBSON

5:02 p.m. REP. GALLUS
EXHIBIT(fih07a10)

5:03 p.m. REP. COHENOUR

5:04 p.m. REP. GUTSCHE

5:04 p.m. Bob Lane, Fish, Wildlife and Parks

Motion/Vote: 5:06 p.m. REP. GOLIE moved that HB 100 BE TABLED. Motion carried 11-9 with REPS. BARRETT, EVERETT, LAKE, LANGE, ROBERTS, ROME, SALES, SHOCKLEY, and WAGMAN voting no by voice vote.

ADJOURNMENT

Adjournment: 5:10 P.M.

REP. JOE BALYEAT, Chairman

KATHLEEN ELY, Secretary

JB/KE

EXHIBIT (fih07aad)